

Notice of Allowability

Application No.

09/890,235

Examiner

Michael J Feely

Applicant(s)

PLUNDRICH ET AL.

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing on 10/17/2002.
2. ☒ The allowed claim(s) is/are 1 and 2.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No. <u>0701,1001</u> | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Allowable Subject Matter

2. Claims 1 and 2 are allowed.

3. The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest the composite set forth in independent claim 1. Claim 2 is allowed because it is dependent from claim 1. The closest prior art is Hein et al. (US Pat. No. 6,613,438) and Bayer et al. (DE 195 38 468 A1).

Hein et al. :

Hein et al. disclose an adhesive used to form, "bonds of permanent magnet materials such as in the assembly of permanent magnets on metal pole plates and/or solid steel poles in machines with permanent-magnet excitation," (column 1, lines 42-45) wherein, "the adhesive is applied at room temperature by means of dispenser technology or knife-coating technology in a film thickness of 10-500 μm , preferably 70-150 μm , and with particular preference from 100 to 125 μm , on either one of the workpieces or both workpieces," (column 4, lines 1-5) and, "in order to set a defined gap it has proven advantageous to add spacers such as glass beads," (column 4, lines 6-7). However, instead of using an additional-crosslinking, single-component and self-adhesive silicone glue, Hein et al. use a one-component adhesive comprising a cycloaliphatic epoxy component and an epoxy-functional silicone rubber (column 1, lines 56-61).

Bayer et al.:

As set forth in the International Written Opinion, Bayer et al. teach a composite structure comprising a magnet material and a metallic substrate glued to one another; however, they use any epoxy adhesive.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

International Search Report X-References

The international search report cited the following references as X-references: EP 0 638 461 A, EP 0 432 502 A, US 4,904,414 A, and US 4,978,696 A. All of these references have been considered; however, none of them teach the limitations of the instant invention.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J Feely whose telephone number is 703-305-0268. The examiner can normally be reached on M-F 8:30 to 5:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

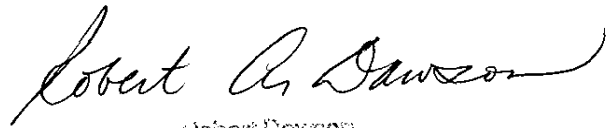
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Application/Control Number: 09/890,235
Art Unit: 1712

Page 4

Michael J. Feely
Patent Examiner
Art Unit 1712

November 14, 2003

A handwritten signature in cursive script that reads "Robert A. Dawson". The signature is written in black ink and is positioned above the printed name and title of the signatory.

Robert Dawson
Supervisory Patent Examiner
Technology Center 1700